

Windsor Ambassador Bridge Traffic Plan February 2022

Ontario Provincial Police and Windsor Police Service



Huron-Church Road
February 2022

TRAFFIC PLAN

OPP INCIDENT NUMBER: E220131875

Prepared by: Sergeant Charlene Pollard

TRAFFIC CONTROL AND OPERATIONAL PLAN

DATE:

13 February 2022

LOCATION:

Huron-Church Road, south of the Ambassador Bridge to E.C. Row

SITUATION:

On the 15th of January 2022, the Canadian government implemented a requirement for Canadian tractor-trailer drivers entering Canada from the United States to be fully vaccinated against COVID-19 if they wish to avoid quarantine and testing for COVID-19 upon re-entry to Canada. American truck drivers who are unvaccinated will be turned back at the border. The vaccination requirement has been met with opposition resulting in the organization of slow-rolling blockades on major Canadian highways, including at or near border points, designated as "FREEDOM CONVOY 2022" and "OPERATION BEARHUG".

On the 06th of February 2022, the City of Windsor experienced a full vehicle blockade of Huron-Church Road, just south of the Ambassador Bridge, blocking all border crossing at this location between Canada and the United States.

On the 12th and 13th of February 2022, officers from various policing agencies assisted in regaining control of the blockade by removing vehicles and pedestrians obstructing the flow of vehicular traffic.

At 0912 on the 13th of February Huron-Church Road has been freed of all vehicular and pedestrian blockages.

MISSION STATEMENT

The OPP and our policing partners will keep the peace, enforce legislation, establish and maintain the safe flow of traffic respecting individuals' Charter Rights to peaceful assembly and Freedom of Speech with public and officer safety being paramount.

Immediate Action Plan – Hwy Blockade

If members observe an imminent highway blockade and form reasonable grounds an offence is about to be committed, officers will intervene to prevent a blockade if it is safe to do so. If

unable to prevent, members will isolate contain and control the area and engage PLT and ERT immediately.

EXECUTION

PLANNING:

All east/west traffic from College Avenue and E.C. Row will be blocked by jersey barriers running the entire length of Huron-Church Road. Access routes will be in place at the six intersections on Huron-Church Road with traffic lights. These intersections will be staffed by uniform members to afford access by emergency services vehicles on the east/west roads.

Quick response/arrest teams and additional units will monitor traffic flow and be prepared to intercept any vehicles that attempt to impede the flow of traffic.

Traffic Lights and Traffic Control:

All traffic lights will be set to flashing red to ensure traffic is controlled through the area.

Traffic lights are at the below intersections:

- Huron-Church Road at College Avenue
- Huron-Church Road at Girardot Street
- Huron-Church Road at Tecumseh Road West
- Huron-Church Road at Dorchester Road
- Huron-Church Road at Malden Road
- Huron-Church Road at Industrial Road

Two RADAR speed signs will be installed along Huron Church Road.

Four electronic messaging boards will be installed on EC Row to advise motorists that Huron Church Road will only be open for US bound traffic.

Overhead messaging will be on Hwy 401 signs advising motorists that Huron Church Road will only be open for US bound traffic.

Business Access:

Access to all businesses along Huron-Church Road will be available from the rear of the businesses. OPP Provincial Liaison Officers will attend each business to provide insight to the strategy around closing off access to the fronts of their businesses.

Plans will be put in place to provide alternative access if there is no access to the rear of the businesses.

Pedestrian Access:

Pedestrian cross walk areas will be implemented at the intersections of:

- Huron-Church Road and Tecumseh Road
- Huron-Church Road and Totten Street

Officers will be present to assist in controlling traffic to allow people to cross.

Signage and speed signs:

- Extensive signage will be installed for northbound traffic on Huron-Church Road advising all northbound traffic north of E.C. Row will only allow access to the bridge to the United States
- “No Air Brake” signs to be posted along the entire route
- An exit off of Huron Church Road, north of E.C. Row will be at Patricia St.
- Signage to be added advising of how to access local businesses.

UNIFORM CHECKPOINTS AND STAFFING:

Huron-Church Road will be divided into three sections with a total of 61 uniformed members designated at the following locations:

Section 1: Between Ambassador Bridge and College Avenue

Officer assignments – 15 Constables and 1 Sergeant:

- Four officers at Huron-Church Road and Wyandotte Street
- Two officers at Patricia Road and Wyandotte Street
- Two officers at Patricia Road to the east of CBSA
- One officer at Felix Avenue west of McDonald’s
- One officer at the emergency access at College Avenue
- Quick Response Team

Section 2: Between College Avenue and Tecumseh Road West

Officer assignments – 15 Constables and 1 Sergeant:

- Two officers at Assumption High School
- One officer at the emergency access at Girardot Street
- One officer at the emergency access at Tecumseh Road West
- Six officers at Intersection.
- Ten officers patrolling between College Avenue and Tecumseh Road West focusing on problem areas and providing enhanced police presence

Section 3: Between Tecumseh Road West and Totten Street

Officer assignments – 17 Constables and 1 Sergeant:

- Two officers at the emergency access at Dorchester Road
- Two officers at the emergency access at Prince Road/Totten Street
- Eight officers patrolling between Tecumseh Road West and Totten focusing on problem areas and providing enhanced police presence
- Six officers at Huron-Church Road and Totten Street

Section 4: Between Totten Street and E.C. Row

Officer assignments – 11 Constables and 1 Sergeant:

- Four officers at Huron-Church Road and Malden Road
- Six officers at Huron-Church Road and Industrial Road
- Two officers at Huron-Church Road and E.C. Row

Traffic Collisions:

Windsor Police Traffic Services will ensure that a Rapid Clearance Plan is in place in the event of a collision on Huron-Church Road between E.C. Row and College Avenue.

Emergency contact for the roads department will be established to enable the quick removal of jersey barriers in the event of an emergency.

Emergency Services:

Windsor Fire and Windsor-Essex EMS have been advised of the traffic plan and have put their own plans in place.

DEMOBILIZATION

The traffic plan will be continually re-assessed to determine if staffing can be reduced or for roadways to be reopened for East/West access or access into local businesses.

Considerations for re-opening areas or reducing staffing will include, but not be limited to:

- Protest Activity
- Intelligence Information
- Traffic Flow and Patterns observed
- Ability to target harden the area

It will be a staged approach to demobilization with a heavy police presence being supported for the first two weeks to determine impact of the traffic plan.

The traffic control plan is scalable and can either be strengthened or reduced at any time.

As intersections/business entrances are re-opened barriers will continue to be kept in the area to allow for target hardening or an undetermined period of time. Removal of the barriers from the area will only take place once it has been determined that it is in the best interests for public safety to do so.

ADMINISTRATION

UNIFORM

All members reporting for deployment at this event will be in General Duties full uniform dress order #2 for a General Duties Detachment Member (*not a specialized duty function*) equipped with a portable radio, traffic vest and rain coat in the event of inclement weather.

BRIEFINGS

Briefings will take place on the first day of the weekly deployment with updates being provided when any changes take place to the traffic plan.

FOR ALL ARRESTS

The Investigating Officer is to complete an arrest report on Niche through CDE. Members should leave a business card in their brief (for all involved officers) and include a copy of all officers' notes and will-say.

PRISONER PROCESSING

- The arresting officer shall be responsible to search their prisoners and have all property placed in a property bag and sealed;
- Offender Transport Officers, when assigned, will not transport anyone who has not been properly searched and secured;
- Upon arrival at Windsor City Police Department, custody will be turned over to Windsor Police who will assume responsibility.

Arrest Authorities

Section 495 of the Criminal Code of Canada:

Arrest without warrant by Peace officer

495. (1) A Peace officer may arrest without warrant

(a) A person who has committed an indictable offence or who, on reasonable grounds, he believes has committed or is about to commit an indictable offence;

(b) A person whom he finds committing a criminal offence; or

(c) A person in respect of whom he has reasonable grounds to believe that a warrant of arrest or committal, in any form set out in Part XXVIII in relation thereto, is in force within the territorial jurisdiction in which the person is found.

SUMMARY OF PROVINCIAL OFFENCES RE: TRAFFIC DISRUPTIONS:

The following is a summary of possible charges pertaining to disrupting traffic via slowdown, stoppage, or unsafe driving activity:

Careless Driving: S. 130 (1) HTA Every person is guilty of the offence of driving carelessly who drives a vehicle or street car on a highway without due care and attention or without reasonable consideration for other persons using the highway.

Unnecessary Slow Driving Prohibited: S. 132 (1) HTA No motor vehicle shall be driven on a highway at such a slow rate of speed as to impede or block the normal and reasonable movement of traffic thereon except when the slow rate of speed is necessary for safe operation having regard to all the circumstances.

Direction of Traffic by Police Officer: S. 134(1) HTA Where a police officer considers it reasonably necessary (a) to ensure orderly movement of traffic; (b) to prevent injury or damage to persons or property; or (c) to permit proper action in an emergency, he or she may direct traffic according to his or her discretion, despite the provisions of this Part, and every person shall obey his or her directions.

U-turns Prohibited: S. 143 HTA No driver or operator of a vehicle upon a highway shall turn the vehicle so as to proceed in the opposite direction when, (a) upon a curve where traffic approaching the vehicle from either direction cannot be seen by the driver of the vehicle within a distance of 150 meters;(b) on a railway crossing or within 30 meters of a railway crossing;(c) upon an approach to or near the crest of a grade where the vehicle cannot be seen by the driver of another vehicle approaching from either direction within 150 meters; or (d) within 150 meters of a bridge, viaduct or tunnel where the driver's view is obstructed within such distance.

Blocking Intersection: S. 145 (1) HTA The council of a municipality may by by-law prohibit a driver or street car operator approaching, at an intersection, a traffic control signal showing a circular green or green arrow indication from entering the intersection unless traffic in front of him or her is moving in a manner that would reasonably lead him or her to believe he or she can clear the intersection before the signal indication changes to a circular red indication.

Slow Vehicles to Travel on Right Side: S. 147 (1) HTA Any vehicle travelling upon a roadway at less than the normal speed of traffic at that time and place shall, where practicable, be driven in the right-hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway.

Passing Meeting Vehicles: S. 148(1) HTA Every person in charge of a vehicle on a highway meeting another vehicle shall turn out to the right from the center of the roadway, allowing the other vehicle one-half of the roadway free.

Backing prohibited, speed limit over 80kph: S. 157 HTA No driver of a vehicle shall back the vehicle upon the roadway or shoulder of any highway divided by a median strip on which the speed limit is in excess of 80 kilometers per hour.

Parking on Roadway: S. 170 (1) HTA No person shall park, stand or stop a vehicle on a roadway, (a) when it is practicable to park, stand or stop the vehicle off the roadway; or (b) when it is not practicable to park, stand or stop the vehicle off the roadway unless a clear view of the vehicle and of the roadway for at least 125 meters beyond the vehicle may be obtained from a distance of at least 125 meters from the vehicle in each direction upon the highway.

Racing, Stunts, etc., Prohibited: S. 172(1) HTA No person shall drive a motor vehicle on a highway in a race or contest, while performing a stunt or on a bet or wager.

Regulating or Prohibiting Use of Highway by Pedestrians: S. 185 (1) HTA The Minister may make regulations prohibiting or regulating the use of any highway or part thereof by pedestrians or animals or any class or classes of vehicles. Removing pedestrians - (3) Where a pedestrian is on a highway in contravention of a regulation made or by-law passed under this section, a police officer may require the pedestrian to accompany him or her to the nearest intersecting highway on which pedestrians are not prohibited and the pedestrian shall comply with the request.

Prohibiting Commercial Vehicles in Left Lane: S. 186 (1) HTA The council of a municipality may by by-law prohibit the operation of, (a) a commercial motor vehicle other than a bus; or (b) any combination of a commercial motor vehicle and a towed vehicle, that exceeds 6.5 meters in

length, in the left lane of any highway under its jurisdiction that has three or more lanes for traffic in each direction and on which the speed limit is 80 kilometers per hour or more.

Restricted Use of Left Lanes by Commercial Motor Vehicles: R.R.O. 1990, REGULATION 608 1. (1) Subject to subsection (2), no person shall operate a commercial motor vehicle or any combination of a commercial motor vehicle and a towed vehicle that exceeds 6.5 meters in length, except a bus, an ambulance or a fire apparatus, in the left lane or, where the left lane has been designated as a high occupancy vehicle lane, in the lane adjacent to the high occupancy vehicle lane of those portions of a highway described in the Schedules. R.R.O. 1990, Reg. 608, s. 1 (1); O. Reg. 619/05, s. 1 (1); O. Reg. 201/16, s. 1. (2) Subsection (1) does not apply to a commercial motor vehicle engaged in maintenance or construction or where an emergency requires the use of the lane by a commercial motor vehicle. R.R.O. 1990, Reg. 608, s. 1 (2); O. Reg. 619/05, s. 1 (2).

Use of Controlled-Access Highways by Pedestrians R.R.O. 1990, REGULATION 627 1. (1) Subject to subsection (2), pedestrians are prohibited from using those parts of the controlled-access highways described in Schedule 1. O.Reg. 255/04, s. 1 (1).

(2) Subsection (1) does not apply to pedestrians, (a) engaged in police, highway maintenance, highway construction or vehicle inspection duties; (b) within commuter parking lots established and maintained by the Ministry or proceeding directly between such lots and adjacent intersecting highways; (c) within truck inspection stations or pulp load check areas established and maintained by the Ministry; (d) making use of a controlled-access highway where the use is necessary because of an emergency; or (e) crossing at a traffic control signal or a crosswalk. 2. Where a highway is referred to in a schedule by a number or name, the reference is to that part of the King's Highway or to the private toll highway that is known thereby.

PUBLIC ORDER SUMMARY OF CRIMINAL CODE OFFENCES

The following are summaries of applicable sections of the Criminal Code of Canada, in relation to a Public Order Unit incident. The Criminal Code should be referred to for the actual section. The crowd/individuals must be advised that they cannot go beyond a certain point as identified by the officer and to do so, constitutes a criminal offence of Obstructing a Peace Officer and that they will be arrested. Once they make a physical attempt to breach or circumvent the line, the offence has been met and they can be processed accordingly. In order to process in court however, ERT/Uniform members would be expected to provide the evidence of the caution prior to the offence and the evidence of the physical breach or attempt to breach the line.

Offences relating to Resisting or Obstructing Public or Peace Officer - Section 129:

Everyone who resists or willfully obstructs a public or peace officer engaged in the execution of his duty or anyone acting in their aid is guilty of a dual offence.

Protection of Persons Administering and Enforcing the Law - Section 25: Everyone required or authorized by law to do anything in the administration or enforcement of the law, is if he acts on reasonable grounds, justified in doing what he is required or authorized to do and in using as much force as is necessary for that purpose.

Excessive Force - Section 26: Everyone who is required by law to use force is criminally responsible for any excess.

Use of Force to Prevent Commission of Offence - Section 27: Everyone is justified in using as much force as is reasonably necessary to prevent the commission of an offence.

Arrest for Breach of the Peace - Section 31: Every Peace Officer who witnesses a breach of the peace is justified in arresting any person whom he finds committing the breach or on reasonable grounds, he believes is about to join in or renew the breach of the peace.

Use of Force to Suppress Riot - Section 32: Every peace officer is justified in using or in ordering the use of, as much force as the peace officer believes, in good faith and on reasonable grounds, is necessary to suppress a riot.

Duty of Officers if Rioters do not disperse - Section 33: Where the proclamation referred to in section 67 has been read or an offence against paragraph 68 has been committed, it is the duty of a peace officer and of a person lawfully required to assist him, to disperse or to arrest persons who do not comply with the proclamation.

Unlawful Assembly - Section 63: An unlawful assembly consists of three or more persons who, with intent to carry out any common purpose, assemble as to cause persons in the area to fear on reasonable grounds that they will disturb or cause others to disturb the peace tumultuously.

Riot - Section 64: A riot is an unlawful assembly that has begun to disturb the peace tumultuously.

Punishment of Rioter - Section 65: Everyone who takes part in a riot is guilty of an indictable offence.

Punishment for Unlawful Assembly - Section 66: Everyone who is a member of an unlawful assembly is guilty of a summary offence.

Reading Proclamation - Section 67: A person who is a Justice, Mayor or Sheriff, or the lawful deputy of a Mayor or Sheriff receives notice within their jurisdiction that twelve or more persons are unlawfully and riotously assembled together shall go to that place and from a place of safety read the Proclamation in a loud voice.

Offences Related to Proclamation - Section 68: Everyone is guilty of an indictable offence and liable to imprisonment for life who: opposes, hinders, or assaults the person reading or is about to read the proclamation, or does not peaceably disperse and depart the area within 30 minutes after the proclamation is made.

Causing Disturbance - Section 175: Everyone who causes a disturbance in or near a public place by: fighting, screaming, shouting, swearing, singing or using insulting or obscene language, by being drunk or by impeding or molesting others persons is guilty of a summary conviction offence.

Assaulting a Peace Officer - Section 270: Everyone commits an offence who assaults a public or peace officer engaged in the lawful execution of his duty or a person acting in the aid of an officer. Or a person with intent to resist arrest or prevents the lawful arrest or detention of himself or another person.

Intimidation - Section 423(1)(g): Everyone commits intimidation where a person intending to compel someone to abstain from doing something he has a right to do; wrongfully and without authority uses violence or threats of violence; or blocks a highway

Mischief - Section 430: Everyone commits mischief, who willfully destroys or damages property; renders property dangerous or useless; obstructs interrupts or interferes with the lawful use and enjoyment of property.

Arson - Section 433: Every person who intentionally or recklessly causes damage by fire or explosion to property whether or not if he owns it or not is guilty of an indictable offence and liable to life imprisonment.

Disobeying Order of Court - Section: 127(1): Everyone who, without lawful excuse, disobeys a lawful order made by a court of justice or by a person or body of persons authorized by any Act to make or give the order, other than an order for the payment of money, is, unless a punishment or other mode of proceeding is expressly provided by law, guilty of:

Emergency Management & Civil Protection Act

The COVID-19 Enforcement Support Line has been established at **1-866-389-7638**. Assistance is available daily from 0800-2100hrs. This toll-free line is available to provide support to policing personnel regarding the enforcement of emergency orders under the EMCPA.

Failing to correctly identify oneself could be considered any of the following:

Section 7.0.11(1)(a)

1. Fail to comply with an order made during a declared emergency

• Set Fine: \$750.00

2. Obstruct any person exercising a power in accordance with an order made during a declared emergency

• Set Fine: \$1,000.00

3. Obstruct any person performing a duty in accordance with an order made during a declared emergency

• Set Fine: \$1,000.00

Failure to comply with an emergency order carries a fine of up to \$100,000 for individuals and \$10,000,000 for corporations.

The following is the link to the COVID-19 Front line Officer Guide

<http://oppapp1233.opp.gov.on.ca/COVIDTool/covid>

P.O.A. Tickets

Most marked police vehicles are equipped with electronic ticketing programs. Any Provincial Offence Notices can be issued utilizing these programs and submitted electronically to the Windsor Courts.

Part III Tickets

A brief **MUST** be completed for **ALL** Part III tickets. MTO electronic records are required for Drive under Suspension charges. MTO electronic records are required for Use Plates Not Authorized and No Insurance charges; Permit Use No Insurance and are the responsibility of the investigating officer. Please review court schedule for proper court dates for related offences.

Billing:

Towing costs will be covered as per contract held by Windsor Police Service with AM-PM Towing.

TRAFFIC COMMAND AND CONTROL

TRAFFIC SITE COMMANDER	Insp. Johnson – OPP – until relieved by Windsor PS.
TRAFFIC GROUND COMMANDER	Sgt. Craig Judson – Windsor PS
CITY OF WINDSOR TRAFFIC AND INFRASTRUCTURE	Chris Nepszy Commissioner of Infrastructure Services/City Engineer cnepszy@citywindsor.ca Cell: REDACTED
CANADA BORDER SERVICES AGENCY	Sydney Kale Cell: (226) 280-1761 Sydney.Kale@cbsa.gc.ca Jeff Gilmore Cell: REDACTED Jeffrey.gilmore@cbsa.gc.ca

COMMAND POST

The Command Post will be located at the Windsor Emergency Operations Centre located at 1587 Provincial Road, Windsor.

COMMUNICATION

Windsor PS will provide radios and IDs to all members for this detail.

Personal Protective Equipment

- All members have been provided the proper PPE and sufficient amount during this current COVID-19 pandemic. Members are reminded to utilize PPE when in close proximity to the general public and when going “hands on” to affect an arrest.